


EXHIBIT 16

Title: Fwd: Re: ERM : InterAct

From: Fran R. Juhasz
"egoldman@interact.ccsd.net" <egoldman@interact.ccsd.net>

5/27/2011 8:46:1... 

Subject: Fwd: Re: ERM

To: Anita A. Wilbur

Cc: Edward E. Goldman

Attachments: Attach0.html

2K

Anita,
Per Dr. Goldman, please mail as planned today. Thanks
FJ

Fran Juhasz
Director
Employee Management Relations (EMR)
phone 799-0210
fax 799-5387
frjuhasz@interact.ccsd.net

— Original Message —

Mailed today

Sent from my Verizon Wireless Phone

----- Reply message -----

From: "Fran R. Juhasz" <frjuhasz@interact.ccsd.net>
Date: Fri, May 27, 2011 7:54 am
Subject: ERM
To: "Anita A. Wilbur" <anitawilbur@interact.ccsd.net>
Cc: "Edward E. Goldman" <egoldman@interact.ccsd.net>

Up to Dr. Goldman, but my recommendation is we proceed with her disciplinary document being mailed. The FML is irrelevant to her discipline. It would be good if we could get it mailed today. Eddie—your thoughts?
FJ

Anita A. Wilbur writes:

>FML office called this am. they have Elena applying for FML as of May 24, 2011. I asked them to speak with Fran before approving it. They asked me how we wanted to handle it...I again directed them back to Fran.

>

>Attached is a copy of the final document. I have everything ready to go to USPS. Let me know...

>250-7282


3

CCSD000309

Title: Fwd: Re: ERM : InterAct

Fran Juhasz
Director
Employee Management Relations (EMR)
phone 799-0210
fax 799-5337
frjuhasz@interact.ccsd.net

Title: Re: ERM : InterAct

From: ■ "egoldman@interact.ccsd.net" <egoldman@interact.ccsd.net> 5/27/2011 8:28:2... 
Subject: Re: ERM
To: ■ Fran R. Juhasz
Attachments: ■ Attach0.html 2K

Mailed today

Sent from my Verizon Wireless Phone

----- Reply message -----

From: "Fran R. Juhasz" <frjuhasz@interact.ccsd.net>
Date: Fri, May 27, 2011 7:54 am
Subject: ERM
To: "Anita A. Wilbur" <anitawilbur@interact.ccsd.net>
Cc: "Edward E. Goldman" <egoldman@interact.ccsd.net>

Up to Dr. Goldman, but my recommendation is we proceed with her disciplinary document being mailed. The FML is irrelevant to her discipline. It would be good if we could get it mailed today. Eddie--your thoughts?
FJ

Anita A. Wilbur writes:

>FML office called this am. they have Elena applying for FML as of May 24, 2011. I asked them to speak with Fran before approving it. They asked me how we wanted to handle it...I again directed them back to Fran.

>

>Attached is a copy of the final document. I have everything ready to go to USPS. Let me know...
>250-7282

Fran Juhasz
Director
Employee Management Relations (EMR)
phone 799-0210
fax 799-5337
frjuhasz@interact.ccsd.net

8898-500021

CCF-21 (Rev. 08/09)

Clark County School District RECORD OF PERSONNEL NOTIFICATION

Employee: Elena Rodriquez Malfavon Date of Notification: _____
 Assignment: Coordinator
 Work Location: AISHS #879 Social Security No. (last 4 digits): 2413
☐ Licensed ☐ Unified ☐ School Police ☒ Support Staff Page 1 of 2
 Specific Nature of Notification: ORAL WARNING SUMMARY

The specific facts upon which this document is based are as follows.

I have witnessed several incidents concerning your job performance.

On May 2, 2011 you told me that Mr. Brad Waldron had telephoned you to inform you that you should report to the May 4, 2011 Reduction in Force (RIF) meeting, held at 1:00 pm at Edward Greer Education Center, Superintendent's Conference Room. You also stated that you were asked to meet with him in his office on May 3, 2011 at 12:30pm.

I observed that you logged into the AISHS attendance calendar that you were leaving at 12:12pm and your return was at 1:00pm for your May 3, 2011 meeting with Mr. Waldron. However, when I visited Mr. Waldron's office on May 3, 2011 at 1:15pm, I observed you having a discussion with Mr. Waldron's secretary, Eloise Neumiller. When I reviewed the computer documentation for your entry of this meeting, you had entered your absence as 12:30pm-1:00pm. You never correct the time that you were actually gone from the campus. Although it is understood that you may have taken your 30 minute lunch after your appointment with Mr. Waldron, the fact remains that the record you entered is still incorrect.

In a disciplinary document dated December 2009, you were directed to be honest and accurate in your dealings with management, coworkers, and both internal and external customers in accordance with the high ethical standards and integrity essential to the CCSD's employees.

On February 28, 2011, during staff development, our ECS presented an official training on the usage of the time clock by every employee, regardless of his bargaining unit. You were present at this meeting. Everyone was instructed that March would be a month of practice implementation, and then it would be mandated for all employees to begin using the computerized time clock on April 1, 2011. Everyone was also told that I would review the time clock records at the end of April to ensure that all staff was complying with usage directions. Additional reminder notices were sent on April 15 and April 18, 2011. On April 29, 2011, I reviewed the time clock records. You had not signed in any time prior to April 18, 2011.

On April 26, 2011, during a fire department drill, a fireman asked me to take my fire alarm key and implement the fire drill. I did not have a fire alarm key. I asked an AISHS employee for a key. They had none. In checking, I observed that no one, including me, had been given a fire alarm key.

Signature of Employee _____	Date _____	Print/Type Name of Supervising Administrator _____	Signature _____	Date _____
<input type="checkbox"/> A response will be made within timelines established in the applicable negotiated agreement.				
<input type="checkbox"/> A response was submitted on _____				
		Date _____	Signature of Supervising Administrator Receiving Response _____	Date _____

*A signature on this summary does not necessarily mean the employee agrees with the opinions expressed, but merely indicates the employee has received this notice.

031 Distribution: Original/White: Area Associate/Division Superintendent, then Chief Human Resources Officer, Human Resources Division
 2nd Copy/Yellow: Supervising Administrator - Work Location File 3rd Copy/Pink: Employee



CCSD000312

9998-500010

CCF-10 (Rev. 09/09)

Clark County School District
PERSONNEL RECORD — CONTINUATION SHEET

Name: Elena Rodriguez MalfavonSocial Security No. (last 4 digits): 2413CCF- 21Date: 05/24/11Page No. 2 of 2

Likewise, I inspected the shelter in place boxes, again part of your job responsibilities. I purchased the bins and materials for the shelter in place in October, 2010. You failed to create and distribute the shelter in place boxes as you were directed to do.

You were assigned responsibility for support staff evaluations. In February, 2011 I met with you to review support staff concerns and deadlines. I reviewed concerns about a new employee (registrar) with you. Based on my observations, the employee was not performing her job duties. Further, she was not following established procedures for electronic imaging and the naming conventions on critical documents involving student enrollment and credits. I saw that you had no direct observations to address this concern. You had to be directed to follow up with a notice of investigation, and to summarize the conference in writing.

You knew that the same registrar's evaluation was due on April 1, 2011. On April 4, 2011, I asked you why I had not been given a draft of the registrar's evaluation. You stated that you did not know it was due, yet in one of your previous administrative assignments you were responsible for the supervision and evaluation of multiple support staff. The registrar's evaluation was issued late, on April 12, 2011.

Your supervisory responsibilities were discussed with you upon your arrival at AISHS, on August 2010. In January, 2011 I reviewed AISHS procedures and your specific job duties with you a second time. Your duties were once again reviewed in a meeting held in February, 2011. In all that time your job responsibilities did not change and continue to specifically address support staff supervision, support staff evaluations, front office management, facilities, and crisis plan.

You received a disciplinary document on December 3, 2009, where you were directed to "Comply with all supervisory directives." I witnessed that you have failed to follow this directive as evidenced above by the time clock incident, the fire drill incident, shelter in place boxes, and missing the due date on a support staff evaluation.

In summation, you have failed to perform your job duties assigned. You have failed to comply with previous directions in a satisfactory manner.

You are hereby directed to comply with all directives, past and present. Your past directives have not been met in a satisfactory manner.

Immediate satisfactory improvement must be shown and maintained. Failure to improve may result in an unsatisfactory appraisal report, further discipline, and/or suspension, demotion, or dismissal.

I will continue to be available to provide supervisory direction and assistance to help you meet these expectations.

Signature of Employee

Date

Print/Type Name of Supervising Administrator

Signature

Date

031 Distribution: Original/White: Area Associate/Division Superintendent, then Human Resources Division
 2nd Copy/Yellow: Supervising Administrator - Work Location File 3rd Copy/Pink: Employee



CCSD000313

Title: Fwd: ERM dated 052411 two pages : InterAct

From:

Fran R. Juhasz
Anita A. Wilbur

Tuesday, May 24, 2011 9:32:10 AM



Subject:

Fwd: ERM dated 052411 two pages

To:

Anita A. Wilbur

Attachments:

052411 ERM page 1.pdf
052411 ERM page 2.pdf

939K
696K

Anita,

You checked support staff and ERM is unified. Also, under: specific nature of notification should be: Oral Warning Summary. Is ERM at work? Let me know FJ

Fran Juhasz
Director

Employee Management Relations (EMR)

phone 799-0210

fax 799-5337

frjuhasz@interact.ccsd.net

— Original Message —

OK

I dated it 052411.

If she shows up on Wed 052511; I will email you first thing and then send you a copy of the notice and will present it to her shortly thereafter.

Thanks for all of your help!!!

Also, my cell is 250-7282. In case I do not answer my office phone.

Title: Re: Fwd: ERM dated 052411 two pages : InterAct

From: ■ Anita A. Wilbur

Tuesday, May 24, 2011 9:41:56 AM 

Subject: Re: Fwd: ERM dated 052411 two pages

To: ■ Fran R. Juhasz

Fran R. Juhasz writes:

Anita,

You checked support staff and ERM is unified. Sorry that was a question I had and forgot to ask it. I was not sure whether or not... as she cannot supervise licensed staff.

Also, under: specific nature of notification should be: Oral Warning Summary.
OOPS!!!! I am sorry. Do you want me to make these corrections and resend?

Is ERM at work? NO. She is due to come back tomorrow. Her last medical note stated thru the 24th which is today. Tomorrow will be the big day for notification of type of continuance.

Let me know I arrive ususally by 6:05 am. I will check in the am and email you directly.
FJ

Fran Juhasz
Director
Employee Management Relations (EMR)
phone 799-0210
fax 799-5337
fjuhasz@interact.ccsd.net

— Original Message —

OK

I dated it 052411.

If she shows up on Wed 052511; I will email you first thing and then send you a copy of the notice and will present it to her shortly thereafter.

Thanks for all of your help!!!

Also, my cell is 250-7282. In case I do not answer my office phone.

Title: Re(2): ERM dated 052411 two pages : InterAct

From: ■ Anita A. Wilbur

Tuesday, May 24, 2011 9:37:13 AM 

Subject: Re(2): ERM dated 052411 two pages

To: ■ Fran R. Juhasz

Fran R. Juhasz writes:

Anita,

Thanks for the quick turn-around. I'm working with Dr. Goldman on this. Per Dr. Goldman, please do not do ANYTHING further until I hear back from him. He's going to review the document and then give me his final determination. We can't mail anything out or give her anything until we hear from him. Thanks
FJ will do.

Fran Juhasz

Director

Employee Management Relations (EMR)


phone 799-0210

fax 799-5337

frjuhasz@interact.ccsd.net

Title: Fwd: Re: important question : InterAct

From: **Fran R. Juhasz**
Hilary A. Engel

Monday, May 23, 2011 2:06:01 PM 

Subject: Fwd: Re: important question

To: **Hilary A. Engel**

Thanks so much. Anita had an administrator attend who logged back in at 4:45 pm, saying she had been at the RIF mtg until then (minus drive time.)
Fran

Fran Juhasz
Director
Employee Management Relations (EMR)
phone 799-0210
fax 799-5337
frjuhasz@interact.ccsd.net

— Original Message —

Hi Anita,

That meeting began at 1:30 p.m. on Wednesday, May 4, 2011. It was held at the Edward Greer Education Center, 2832 E. Flamingo Rd. It was held in the Superintendent's Conference Room. All attendees had left that meeting by 3:00 p.m.

Let me know if you have additional questions regarding this information. Thank you.

Hilary

Anita A. Wilbur on Monday, May 23, 2011 at 11:04 AM -0700 wrote:

Hilary,

Fran is helping me with a supervisory matter in which I need to know the timeframe for the RIF meeting held on Wednesday, May 4, 2011.


I am under the impression that it began at 1 pm. I need to know where it was held. Most importantly, I need to know how long it lasted...give or take a few minutes.

Thanks

Anita Wilbur
cell 250-7282

Title: Re: important question : InterAct

From:  Hilary A. Engel

Monday, May 23, 2011 2:02:46 PM 

Subject: Re: important question

To:  Anita A. Wilbur

Cc:  Fran R. Juhasz

Hi Anita,

That meeting began at 1:30 p.m. on Wednesday, May 4, 2011. It was held at the Edward Greer Education Center, 2832 E. Flamingo Rd. It was held in the Superintendent's Conference Room. All attendees had left that meeting by 3:00 p.m.

Let me know if you have additional questions regarding this information. Thank you.

Hilary

Anita A. Wilbur on Monday, May 23, 2011 at 11:04 AM -0700 wrote:

Hilary,

Fran is helping me with a supervisory matter in which I need to know the timeframe for the RIF meeting held on Wednesday, May 4, 2011.

I am under the impression that it began at 1 pm. I need to know where it was held. Most importantly, I need to know how long it lasted...give or take a few minutes.


Thanks

Anita Wilbur

cell 250-7282

Title: Re(4): : InterAct

From: ■ Anita A. Wilbur
Subject: Re(4):
To: ■ Fran R. Juhasz

Monday, May 23, 2011 11:35:57 AM 

Fran R. Juhasz writes:

Anita,

Review her last doctor note to verify her return. We can then toss in a paragraph about not adhering to established call in procedures. You witnessed that.

FJ

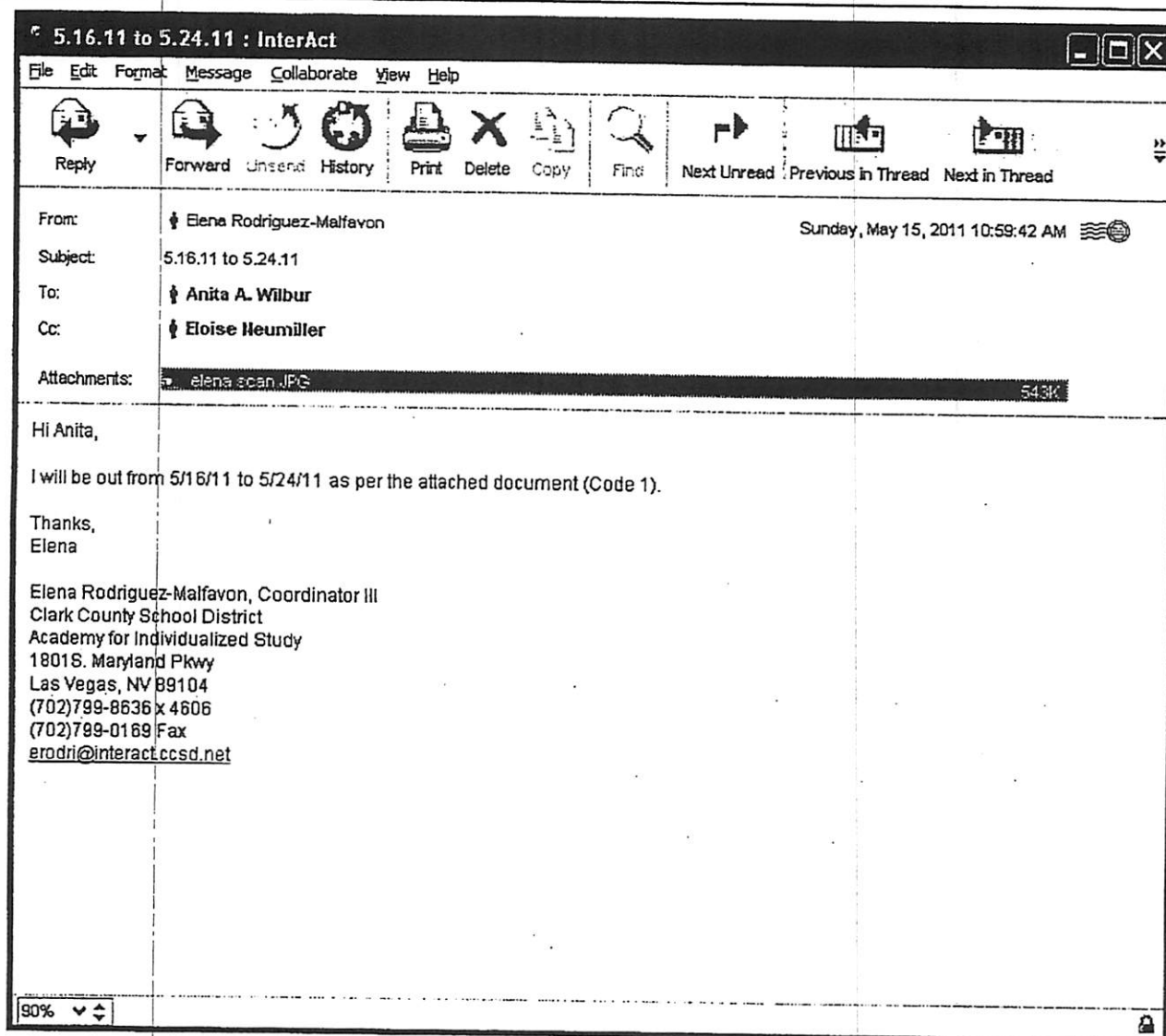
Anita A. Wilbur writes:

I am on the phone to FML....Lisa Bishop with FML, ERM has no documented FML request. I asked her to call me if she gets one....otherwise, I will be calling her on a daily basis to see if one has been filed.

Fran Juhasz
Director
Employee Management Relations (EMR)
phone 799-0210
fax 799-5337
frjuhasz@interact.ccsd.net

Good call because I was going off of our attendance calendar and it only indicated that she was off one week not through 05-24-11.

Title: Re(4): : InterAct



CCSD000320

Title: Re(4): : InterAct

elena scan.JPG : InterAct

File Edit Format Message Collaborate View Help

Print Save As Select All Copy Use Zoom Tool Use Hand Grab Tool Rotate Right Rotate Left

CRC ROGER W. HSIUNG, MD
Colon and Rectal Clinic

WORK EXCUSE FORM

To: Helen Rogers _____:

Re: Myeloma _____:

From: Roger Hsiung is under my medical care and is unable to
work from 5-16-2011 to 5-21-2011.

If you have any further questions, please call CRC at: OFFICE (772) 585-6546.

Signature: R. Hsiung _____ Date: 5-17-2011

Physician's Signature

Title: Re(4): : InterAct

AIS Attendance Calendar : InterAct

File Edit Format Message Collaborate View Help

New Print Delete Share Calendar Go to Today View by Day View by Work Week View by Week Find Directory

Calendar 1300 Events 1 Task InterAct: Anita A Wilbur 321M Free

Today Calendar

Monday, May 23, 2011

Today

May 2011

S M T W T F S

1 2 3 4 5 6 7
8 9 10 11 12 13 14
15 16 17 18 19 20 21
22 23 24 25 26 27 28
29 30 31

Monday May 23, 2011

0:00 Malfavon -
0:00 Aber
12:00 Karen Hao

1:00 Delores Johnson-Collins
6:30 Ben Rodriguez-Malfavon-o
7:30 Anne Jacklin -

1:00 Camille Stac Mary Valianos
3:00 Delores Johnson-Co
Larry Johnson -
Ben Rodriguez-Malfavon-o
6:00 Ben Kremer
6:30 Ben Kremer


7:00 No Vacations to be approved per Article 6-8

Monday, May 23, 2011 11:35 AM (GMT-8:00) Pacific Time

CCSD000322

Title: Re(3): : InterAct

From: ■ Fran R. Juhasz

Monday, May 23, 2011 11:22:37 AM 

Subject: Re(3):

To: ■ Anita A. Wilbur

Anita,

Review her last doctor note to verify her return. We can then toss in a paragraph about not adhering to established call in procedures. You witnessed that.

FJ

Anita A. Wilbur writes:

I am on the phone to FML....Lisa Bishop with FML, ERM has no documented FML request. I asked her to call me if she gets one....otherwise, I will be calling her on a daily basis to see if one has been filed.

Fran Juhasz

Director

Employee Management Relations (EMR)


phone 799-0210

fax 799-5337

frjuhasz@interact.ccsd.net

Title: Re(2): : InterAct

From: ■ Anita A. Wilbur

Monday, May 23, 2011 10:51:25 AM 

Subject: Re(2):

To: ■ Fran R. Juhasz

Fran R. Juhasz writes:

Looks like she signed for it on December 3, 2009. Thanks for the resend. Sorry I was cross. I never took it badly so you are off the hook.

I like direct speaking people, as I am direct with people. And since I am out of my league on how this stuff goes, I will take absolute directions, comments, etc. I do not want anything screwed up.

I am on the phone to FML....Lisa Bishop with FML, ERM has no documented FML request. I asked her to call me if she gets one....otherwise, I will be calling her on a daily basis to see if one has been filed.

Fran Juhasz

Director

Employee Management Relations (EMR)


phone 799-0210

fax 799-5337

fjuhasz@interact.ccsd.net

Title: Re: : InterAct

From: ■ Fran R. Juhasz

Monday, May 23, 2011 10:43:15 AM 

Subject: Re:


To: ■ Anita A. Wilbur

Looks like she signed for it on December 3, 2009. Thanks for the resend. Sorry I was cross.

Fran Juhasz
Director
Employee Management Relations (EMR)
phone 799-0210
fax 799-5337
frjuhasz@interact.ccsd.net

Title: important question : InterAct

From: ■ Anita A. Wilbur

Monday, May 23, 2011 11:04:01 AM 

Subject: important question

To: ■ Hilary A. Engel

Cc: ■ Fran R. Juhasz

Hilary,

Fran is helping me with a supervisory matter in which I need to know the the timeframe for the RIF meeting held on Wednesday, May 4, 2011.

I am under the impression that it began at 1 pm. I need to know where it was held.. Most importatnly, I need to know how long it lasted...give or take a few minutes.


Thanks

Anita Wilbur

cell 250-7282

Title: Document : InterAct

From: ■ Fran R. Juhasz

Monday, May 23, 2011 9:40:44 AM 

Subject: Document

To: ■ Anita A. Wilbur

Attachments: ■ OWCS May 2011.doc

26K

Anita,
Because you sent this in PDF, I had to retype. As I'm seeing the narrative, there are a few incidents that you didn't directly observe. Please call and we'll review.
Fran

Fran Juhasz
Director
Employee Management Relations (EMR)
phone 799-0210
fax 799-5337
frjuhasz@interact.ccsd.net

CCSD000327

I have witnessed several incidents concerning your job performance.

I observed that you logged into the AISHS attendance calendar that you were leaving at 12:12pm and your return was at 1:00pm for your May 3, 2011 meeting with Mr. Waldron. However, when I visited Mr. Waldron's office on May 3, 2011 at 1:15pm, I observed you having a discussion with Mr. Waldron's secretary, Eloise Neumiller. When I reviewed the computer documentation for your entry of this meeting, you had entered your absence as 12:30pm-1:00pm. You never correct the time that you were actually gone from the campus. Although it is understood that you may have taken your 30 minute lunch after your appointment with Mr. Waldron, the fact remains that the record you entered is still incorrect.

Aug 10, 2010

the fireman asked me for a key to the fire alarm.

October, 2010. x (Anita, what happened with the shelter in place? Please state it here.) = at a - AISH ee for

→ I asked an AISHee for his Key. He had NONE. In checking, support staff evaluations. In February, 2011 I met I observed s and deadlines. I reviewed concerns about a that no one d on my observations, the employee was not including me; was not following established procedures for had been entions on critical documents involving student given a fire Key.

CCSD000328

enrollment and credits. I saw that you had no direct observations to address this concern. You had to be directed to follow up with a notice of investigation, and to summarize the conference in writing.

You knew that the registrar's evaluation was due on April 1, 2011. On April 4, 2011, I asked you why I had not been given a draft of the registrar's evaluation. You stated that you did not know it was due, yet in one of your previous administrative assignments you were responsible for the supervision and evaluation of multiple support staff. The registrar's evaluation was issued late, on April 12, 2011.

Your supervisory responsibilities were discussed with you upon your arrival at AISHS, in _____ (date). In January, 2011 I reviewed AISHS procedures and your specific job duties with you a second time. Your duties were once again reviewed in a meeting held in February, 2011. In all that time your job responsibilities did not change and continue to specifically address support staff supervision, support staff evaluations, front office management, facilities, and crisis plan.

You received a disciplinary document on _____ (date) where you were directed to "Comply with all supervisory directives." I witnessed that you have failed to follow this directive as evidenced above by the time clock incident, the fire drill incident, and missing the due date on a support staff evaluation.

On April 13, 2011, I received an email from a registrar questioning the closure of a scheduled time when we are actively registering for that specific time-frame. It was a forwarded message from a teacher who had initially addressed an email to you and copied it to the registrar, who then sent it to me. You immediately came to my office to discuss this. You were reminded that you have no supervision duties for licensed staff.

On _____ (date) you received a disciplinary document with the directive, "Focus on your area of responsibility and do not concern yourself with matters for which you have no line of supervision." I witnessed that you have failed to follow this directive as evidenced by teachers seeking direction from you, when you clearly have no responsibility for licensed staff. (Anita, we may not use this one, as you didn't observe her directing the teacher. I'm still considering.)

In summation, you have failed to perform your job duties assigned. You have failed to comply with previous directions in a satisfactory manner.

You are hereby directed to comply with all directives, past and present. Your ~~past~~ ^{past} directives have not been met in a satisfactory manner.

Immediate satisfactory improvement must be shown and maintained. Failure to improve may result in an unsatisfactory appraisal report, further discipline, and/or suspension, demotion, or dismissal.

I will continue to be available to provide supervisory direction and assistance to help you meet these expectations.

9998-500021

CCF-21 (Rev. 09/09)

Clark County School District

RECORD OF PERSONNEL NOTIFICATION

Employee: Elena Rodriquez Malfavon

Date of Notification: _____

Work Location: AISHS #879Assignment: CoordinatorSocial Security No. (last 4 digits): 2413
☐ Licensed ☐ Unified ☐ School Police ☒ Support Staff
Page 1 of 4Specific Nature of Notification: Oral Warning Summary

~~You have been absent from work since Monday, May 9, 2011 due to personal illness. In your absence, the following facts regarding my concerns about your job performance are defined through this document. Although your current placement is within the Academy for Individualized Study High School, these previous directives remain as concern as per your overall job performance.~~

I have witnessed several incidents concerning your job performance.

~~Previous directions in your personnel records:~~

Previous Directive: 1. Be honest and accurate in your dealings with management, coworkers, and both internal and external customers in accordance with the high ethical standards and integrity essential to the CCSD as well as the public purchasing profession.

~~Administrative documentation: On Monday, May 2, 2011, you informed me that Mr. Brad Waldron telephoned you on Friday, April 29, 2011 to inform you that you should report to the May 4, 2011 Reduction in Force (RIF) meeting at 1:00 pm. You also stated that you were asked to meet with him in his office prior to this meeting on May 3, 2011 at 12:30 pm.~~

~~On Tuesday, May 3, 2011, you logged into the AISHS attendance calendar and indicated that you were leaving at 12:12 pm and your return was at 1:00 pm. I arrived at Mr. Brad Waldron's office at 1:11 pm and spoke with both you and his secretary, Eloise Neumiller. It was documented that your return to the AISHS office by the Administrative Secretary was in fact, at 2:09 pm.~~

Anita, did you witness when she returned? This becomes iffy.

The computer documentation for your record of this meeting was created by you and clearly states 12:30 - 1:00 pm. You never corrected it to the time that were actually gone from the campus. Although it is understood that you may have taken your 30 minute duty free lunch hour, the fact remains that the records were and still are incorrect.

I have observed and they

your absence was

On the next day, May 4, 2011, you reminded me that you had to attend the RIF meeting at 1:00 pm. You also requested that you be able to go and pick up your daughter and take her to the NW CTA and enroll her after you finished the meeting. I stated that if you checked out with a CCF 101 via Lynn for that period of time, you could do so. When you were ready to leave, Lynn asked you about your immediate return to AISHS. You stated that you would return and not go to NW CTA to register your daughter. Lynn informed me that she received a phone call from you at 3:48 pm on May 4, 2011.

You indicated that you had just left the meeting and were going to go home since it was so close to the end of the day. The next morning, May 5, 2011, you attempted to clock in with the time clock. As you had not clocked out, you were forced to clock out for the previous day. You recorded a message on your clock out for May 4, 2011 and was in fact, "meeting ended at 4:45 pm 5/4". Again, these are discrepancies that were created by you and documented by trackable, computer entries and are neither accurate and/or honest when it comes to actual time on the job.

Anita, were you at the school at 4:45 pm on May 4? If not, you didn't witness this. You are relying on what Lynn told you if you didn't talk to Elena.

*Signature of Employee

Date

Print/Type Name of Supervising Administrator

Signature

Date

☐ A response will be made within timelines established in the applicable negotiated agreement.

☐ A response was submitted on _____

Date

Signature of Supervising Administrator Receiving Response

Date

*A signature on this summary does not necessarily mean the employee agrees with the opinions expressed, but merely indicates the employee has received this notice.

031 Distribution: Original/White: Area Associate/Division Superintendent, then Chief Human Resources Officer, Human Resources Division
2nd Copy/Yellow: Supervising Administrator - Work Location File 3rd Copy/Pink: Employee



CCSD000331

9998-500010

CCF-10 (Rev. 09/09)

Clark County School District
PERSONNEL RECORD — CONTINUATION SHEET

Name: Elena Rodriguez MalfavonSocial Security No. (last 4 digits): 2413CCF- 21

Date: _____

Page No. 2 of 4~~Previous Directive:~~2. Comply with ~~all~~ ^{supervisory} directives.

~~Administrative documentation: Employee work time issues, both licensed and support, were increasing during the first quarter of this school year. In response to the site variables for the various campuses for which my employees are assigned, a computerized time clock was thoroughly investigated and proposed. As you recall, you investigated and actually recommended a similar time clock currently utilized by the Human Resources Division of the CCSD.~~

for everyone USING the computerized time clock
 On February 28, 2011, during staff development, our ECS presented an official training on the usage of the time clock by every employee, regardless of bargaining unit. You were at this meeting, as I was present and accounted for every employee for this training. At that time, everyone was told that March would be a month of trial and ^{practices} error and then it would be mandated to begin on April 1, 2011. Everyone was told at that time, that at the end of April, I would pull the records and notify people accordingly. Again, additional notices were sent out reminding employees, on 02-07-11, 04-15-11, 04-18-11. On April 29, 2011, I followed through with a review of the time clock records. You had not signed in anytime prior to 04-18-11. This job performance example targets your shortcomings and undermining behavior specifically in following directions of a supervisor and also demonstrates your lack of integrity of management procedures.

you failure
~~Administrative documentation:~~ Your supervisory responsibilities were discussed with you upon your arrival at AISHS. In response to some follow through concerns brought to your attention in January 2011, I recreated and documented the hierarchy of administration and other leadership responsibilities on my white board. Your duties were confirmed for the third time in documented meetings as late as February 2011. Your job responsibilities did not change and continue to specifically address support staff supervision, support staff evaluations, front office management, facilities, and crisis plan. Responsible for implementation of an AISHS crisis plan, you created the actual document and distribution. Responsible for the fire department inspections, you notified me of the inspection letter and I followed through with proper notification of inspection non-conformities to both FSR and ^{bosses} supervisors.

illustrates

Signature of Employee

Date

Print/Type Name of Supervising Administrator

Signature

Date

031 Distribution: Original/White: Area Associate/Division Superintendent, then Human Resources Division
 2nd Copy/Yellow: Supervising Administrator - Work Location File 3rd Copy/Pink: Employee



CCSD000332

8998-500010

CCF-10 (Rev. 09/09)

Clark County School District
PERSONNEL RECORD — CONTINUATION SHEET

Name: Elena Rodriguez MalfavonSocial Security No. (last 4 digits): 2413CCF- 21

Date: _____

Page No. 3 of 4
 You failed to fulfill your

I observed
inspected
assigned job duties

On April 26, 2011 during a fire alarm drill, an AISHS employee was asked to pull the fire alarm to implement the required drill and the employee had no key. When investigated, I found no one had a fire alarm key. The keys were later found in the key cabinet. Although the administrative secretary is in charge of the key cabinet (organization and check outs), she is not authorized to give out keys. The administrative secretary has indicated that she has reminded you of the need for the key distribution. Likewise, I investigated the shelter in place boxes, again part of your job responsibilities. I purchased the bins and materials for the shelter in place back in October 2010. As shelter in place and fire issues are under both facilities and crisis plans; this is your supervisory responsibility. *what about them?*

~~Administrative documentation:~~ You were also assigned support staff evaluations. Prior to February, 2011, several support staff documents lacked active follow through. As a result, I held documented meetings in February 2011 about support staff concerns and deadlines. For example, I reviewed concerns about a new employee (registrar) with you. Based on my observations, the employee was not performing her job as she was away from her workstation, frequently throughout the work day. More specifically, she was not following established procedures for electronic imaging and the naming conventions on critical documents involving student enrollment and credits. You had no direct observations to quantify and/or disprove this concern. However, under my direction, you followed through with a Notice of Investigatory Conference on February 18, 2011 and a follow up Summary of Conference again on March 16, 2011. On April 4, 2011, I met with you and asked why the evaluation had not been reviewed by me, as it was due on April 1, 2011. You stated that you did not know it was due. I asked whether or not you had observed her. You indicated that you had not. I then directed you to get the procedural list of both CE and CBE and sit down and observe her job performance. After my revision, you conducted the annual review on April 12, 2011. Once again, your lack of attention to details, deadlines, and supervisory processes lends to your inadequate job performance in supervising support staff.

Previous Directive:

I observed that you had not completed a support staff evaluation due April 1, 2011.

- ① 3. Focus on your area of responsibility and do not concern yourself with matters for which you have no line of supervision.

~~Administrative documentation:~~ On Wednesday, April 13, 2011, I received an e-mail from a registrar requesting "What's going on?" in regards to the Desert Oasis site, specifically the schedule. Registrars ~~are~~ ^{were} questioning the closure of a scheduled time when we are actively registering for that specific time frame. The teacher initially addressed an e-mail to you and copied it to the registrar. The teacher was requesting from you the right to cancel her last period of the day. As noted above, your supervision does not involve licensed personnel nor does it address the AISHS master schedule.

who sent it to me.

A

Signature of Employee

Date

Print/Type Name of Supervising Administrator

Signature

Date

9988-500010

CCF-10 (Rev. 08/09)

Clark County School District
PERSONNEL RECORD — CONTINUATION SHEET

Name: Elena Rodriguez MalfavonSocial Security No. (last 4 digits): 2413CCF- 10

Date: _____

Page No. 4 of 4

~~As it was news to me, I can only wonder how this teacher suddenly misunderstood that a master schedule change needed to be brought to your attention, not e-mailed to me. It is quite coincidental that minutes after I read the e-mail, you came to my office to immediately discuss this concern. Again, the master schedule has never been under your supervisory assignment. This coincides with previous discussions where you denied involvement when established procedures suddenly change, based on communication which never originated from me nor included me.~~

NO Administrative documentation: Another specific example, is the attendance calendar. That job responsibility was transferred from you when the administrative secretary took over OARS and all employee attendance records. Employees received updated notifications of who and how to call in for an absence and the "housekeeping requirement" signed by all employees further described how to e-mail the information confirming the CCF-101 information. Hence we have two records, the e-mail and the CCF-101. *attend calen*

NO *I observed that*
 In response to issues that you were placing names on the attendance calendar prior to my approval of those employee's requests for vacation, times, etc., your ability to write on the calendar was specifically removed. Like the rest of the faculty and staff, you had read-only rights. What is interesting, is somehow those rights were re-instated with someone in the Interact office by telephone. You knew that you had read only rights on April 21, 2011 per your e-mail message to me, demanding to know why those rights had been removed. Again, on May 3, 2011, your rights were reinstated. It amazes me that that can happen when the principal had not authorized any changes in writing or by telephone. The Interact office has been notified to not accept any more telephone changes. Likewise, the ECS who is the administrator of the attendance calendar, has also been directed to monitor the rights for unauthorized changes.

In summation, you have failed to perform your job *duties* as assigned. You have failed to comply with previous directions in a satisfactory manner.

Directives:

LAST ONE

1. You are to comply with all directives from your immediate supervisor as the past directives have not been met in a satisfactory manner. *past and present.*

You have to list them, then
 Immediate satisfactory improvement must be shown and maintained. Failure to improve may result in an unsatisfactory appraisal report, further discipline, and/or suspension, demotion, or dismissal.

I will continue to be available to provide supervisory direction and assistance to help you meet these expectations.

Signature of Employee

Date

Print/Type Name of Supervising Administrator

Signature

Date

9998-500021

CLARK COUNTY SCHOOL DISTRICT

CCF-21 (Rev. 12/97) MSWord

RECORD OF PERSONNEL NOTIFICATIONDate of Notification: May 19, 2011Employee: Anita WilburAssignment: PrincipalWork Location: Academy for Individualized Study (879)Soc. Security #: 000-00-0118
☐ Licensed ☒ Unified ☐ School Police ☐ Support Staff
Page 1 of 1Specific Nature of Notification: Summary of Conference

On April 29, 2011, an investigatory conference was held. Present at the conference were you, Anita Wilbur, Principal; Mark Coleman, CCASAP Representative; and me, Isaac Stein, Director. During the conference, I brought to your attention the following concerns: Alleged audio taping of district employees throughout the work day; unprofessional treatment of current and former staff members; and adhering to established banking practices during Spring Break 2011.

With regard to the audio taping of employees, you stated that absolutely no employees were or are being audio taped. The only taping utilized was video taping for security purposes. With regard to unprofessional treatment of employees, it was alleged that you were speaking unprofessionally towards employees. Specifically, that you referred to an employee as "humbnuts." Employees felt you behaved unprofessionally by publicly humiliating or berating individuals, although, no specifics were provided. We also discussed that Skype and the AIS InterAct Shared Folder were not being appropriately monitored. You stated you were not aware that it was being utilized inappropriately as it was never brought to your attention by your staff. You also stated that you didn't have the time to monitor it. You were reminded that it is one of your responsibilities as principal.

With respect to banking procedures, it was determined that during Spring Break 2011, monies collected in an amount of almost two thousand dollars (\$2000.00), were not deposited in compliance with Regulation 3210 (IV) (a). Specifically, monies were not deposited in the safe as required.

You are hereby directed to:

1. Ensure compliance with all CCSD policies, regulations and procedures pertaining to surveillance procedures.
2. Treat all staff members professionally and courteously in accordance with District expectations and CCSD policies, regulations and procedures.
3. Ensure that shared electronic communications (Skype and the AIS InterAct Shared Folder) are monitored by you.
4. Comply with banking procedures as required in CCSD Regulation 3210.
5. Ensure that office staff dealing with funds are trained in accordance with procedures and in compliance with Regulation 3210.
6. Do not discuss these allegations with employees or take any retaliatory action against any employee.

Failure to comply with these directions may result in an unsatisfactory appraisal report, admonition and/or suspension, or dismissal.

I will continue to be available to provide supervisory direction and assistance to help you meet these expectations.

Signature of Employee

Date

Signature of Supervising Administrator

- ☐ A response will be made within timelines established by the appropriate negotiated agreement.
- ☐ A response was submitted on _____

Date


Signature of Administrator Receiving CCF-9

A signature on this summary does not necessarily mean the employee agrees with the opinions expressed, but merely indicates the employee has received this notice.

DISTRIBUTION: ORIGINAL - Appropriate Assistant Superintendent 1st Copy - Supervising Administrator-Work Location File 2nd Copy - Employee






Title: **DONE : InterAct**

From:  **Anita A. Wilbur**

Friday, May 20, 2011 11:17:48 AM 

Subject: **DONE**

To:  **Fran R. Juhasz**


Attachments:	 052011 ERM Notice page 1.pdf	1.1M
	 052011 ERM cont page 2 .pdf	1M
	 052011 ERM cont page 3.pdf	1M
	 052011 ERM page 4.pdf	943K
	 051911 Summary of Conference.pdf	786K

I am sorry for the length. Wednesday night it was 2 pages, TH it grew to 3 pages, and today it is 4. DONE with it. I tried to be crystal clear. Let me know what you think.

I also need you to be aware of what I received yesterday. Please refer to directive item # 6.

Title: Re: Rodriguez-Malfavon, Elena - FML Request : InterAct

From: ■ Fran R. Juhasz

Friday, May 27, 2011 7:56:16 AM 

Subject: Re: Rodriguez-Malfavon, Elena - FML Request

To: ■ Maria R. Lopez

Cc: ■ Ron Mader

Maria,
We are addressing some issues with her, but they will not end in dismissal from the district.
Fran

Maria R. Lopez writes:

~~Good Morning Fran,~~

Elena Rodriguez-Malfavon requested FML on 5/24/2011. On 5/23/2011, our office received a phone call from her administrator (Anita Wilbur) inquiring if the employee had applied for FML and requested that we notified her if the employee does apply. Ms. Rodriguez-Malfavon appears to qualify for FML and a packet was given to her husband on 5/24/2011. Please advise if she is in any kind of disciplinary action that will supersede the approval of her FMLA.

Thank you,

Maria R. Lopez

Fran Juhasz
Director
Employee Management Relations (EMR)
phone 799-0210
fax 799-5337
fjuhasz@interact.ccsd.net

Title: Rodriguez-Malfavon, Elena - FML Request : InterAct

From: ■ Maria R. Lopez
Subject: Rodriguez-Malfavon, Elena - FML Request
To: ■ Fran R. Juhasz
Cc: ■ Ron Mader

Thursday, May 26, 2011 12:14:09 PM 

Good Morning Fran,

Elena Rodriguez-Malfavon requested FML on 5/24/2011. On 5/23/2011, our office received a phone call from her administrator (Anita Wilbur) inquiring if the employee had applied for FML and requested that we notified her if the employee does apply. Ms. Rodriguez-Malfavon appears to qualify for FML and a packet was given to her husband on 5/24/2011. Please advise if she is in any kind of disciplinary action that will supersede the approval of her FMLA.


Thank you,

Maria R. Lopez
Personnel Analyst - FMLA
Human Resources Division
Phone: (702) 799-5065
Fax: (702) 387-0674
mrlopez@interact.ccsd.net

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Title: Re: ERM : InterAct

From: ■ Fran R. Juhasz

Friday, May 27, 2011 7:54:46 AM 

Subject: Re: ERM

To: ■ Anita A. Wilbur

Cc: ■ Edward E. Goldman

Up to Dr. Goldman, but my recommendation is we proceed with her disciplinary document being mailed. The FML is irrelevant to her discipline. It would be good if we could get it mailed today. Eddie--your thoughts?
FJ

Anita A. Wilbur writes:

FML office called this am. they have Elena applying for FML as of May 24, 2011. I asked them to speak with Fran before approving it. They asked me how we wanted to handle it...I again directed them back to Fran.

Attached is a copy of the final document. I have everything ready to go to USPS. Let me know...
250-7282

Fran Juhasz
Director
Employee Management Relations (EMR)
phone 799-0210
fax 799-5337
frjuhasz@interact.ccsd.net